

Remarks

Claims 13 and 14 have been amended. Claims 1-10 and 13-28 remain pending in the present application. Allowance of all pending claims is respectfully requested.

Claim Rejections Under 35 U.S.C. § 112

The Official Action rejected claims 13 and 14 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, claims 13 and 14 depended from canceled claim 11. With this amendment, Applicant has amended claims 13 and 14 to depend from claim 10 as suggested by the Examiner.

Claim Rejections Under 35 U.S.C. § 103

The Official Action rejected claims 1-10 and 13-28 under 35 U.S.C. 103(a) as being unpatentable. Claims 13 and 14 have been amended. Applicants respectfully request reconsideration and allowance of claims 1-10 and 13-28.

Claims 1-7, 9-10, 13-17 and 19-28

The Official Action rejected claims 1-7, 9-10, 13-17 and 19-28 under 35 U.S.C. 103(a) as being unpatentable over Hinckley (U.S. Patent 5,828,882) in view of Corrington et al. (U.S. Patent 6,076,142) further in view of Devireddy et al. (U.S. Application 2002/0133669 A1). The Applicant contends that the cited references fail to provide a sufficient teaching, suggestion or motivation to combine the references as proposed by the Official Action. Accordingly, a prima facie case of obviousness has not been established in regard to the inventions of Applicant's claims 1-7, 9-10, 13-17 and 19-28.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves, or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 347, 21 USPQ2d 1941 (Fed Cir. 1992). The Office Action merely stated that it would be obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Corrington, Hinckley and Devireddy because it would provide “the user the option to check and correct the RAID system events” and cited Corrington column 2, lines 38-63 for support. However, Corrington and the identified teaching provides insufficient motivation to combine the references in the manner proposed by the Official Action. Corrington alone describes a system that provides “the user the option to check and correct the RAID system events.” Accordingly, one skilled in the art based upon this minimal identified teaching would have no motivation to modify Corrington since Corrington already provides such capabilities.

Applicant wishes to point out that Applicant’s claims 1-7, 9-10, 13-17 and 19-28 each claim a very specific interplay between a device, a module for the device, a service, an application, and an interface between the application and the service that is simply not taught or suggested by the cited references. Hinckley discloses an event notification facility 100 which a program 104 may register for event notifications. Apparently, the Official Action equates the program 104 with the application of the claims and the event notification facility 100. Even if that is accurate (which Applicant does not concede), Hinckley provides no teaching in regard to a large number of the remaining claim elements. In particular, Hinckley provides no teaching as to the device, the module, the service, and the interplay between the device, module and service.

The Official Action appears to look to Corrington and Devireddy for such teachings. However, Corrington and Devireddy are related to complete RAID monitoring systems and Hinckley is silent in regard to RAID. Accordingly, Applicant sees no reason why one skilled in the art would modify Corrington or Devireddy based upon the teachings of Hinckley. Applicant respectfully proffers that the only teaching to modify Corrington and Devireddy in the manner proposed by the Official Action is Applicant's own disclosure. Such hindsight piecemeal combining of features of the prior art based upon the Applicant's disclosure does not provide a proper basis for an obviousness rejection under 35 U.S.C. 103(a). If such a rejection is maintained based upon the cited art, Applicant respectfully requests a more detailed explanation based solely upon teachings or suggestions of the cited references and the knowledge of one of ordinary skill in the art. Applicant requests reconsideration and allowance of claims 1-7, 9-10, 13-17 and 19-28.

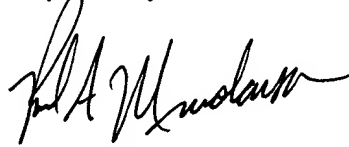
Claims 8 and 18

The Official Action rejected claims 8 and 18 under 35 U.S.C. 103(a) as being unpatentable over Hinckley, in view of Corrington and Devireddy, further in view of Skarbo et al. (U.S. Patent 5,805,886). Claim 8 depends from claim 1 and claim 18 depends from claim 17. Accordingly, claims 8 and 18 are allowable for at least the reasons stated above in regard to claims 1 and 17. Applicant requests reconsideration and allowance of claims 8 and 18.

Conclusion

The foregoing is submitted as a full and complete response to the Office Action mailed March 10, 2004, and it is submitted that all pending claims are in condition for allowance. Reconsideration of the rejection is requested, and allowance of all pending claims is earnestly solicited. Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666. If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (503) 684-6200 is respectfully solicited.

Respectfully submitted,



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